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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,257	05/02/2001	Naohiro Isshiki	B422-148	6909

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EXAMINER

LAU, TUNG S

ART UNIT

PAPER NUMBER

2863

DATE MAILED: 05/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,257

Applicant(s)

ISSHIKI, NAOHIRO

Examiner

Tung S Lau

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito (U.S. Patent application 2002/0073035).

Regarding claim 1:

Saito discloses a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus (abstract), comprising a judging unit for judging whether said another data processing apparatus effects a charge process or not (section 0010-0012, fig. 2); and a control unit for controlling to effect the charge process in accordance with a judged result from said judging unit (section 0013-0016, fig. 2).

Regarding claim 5:

Saito discloses the charge process is based on at least one of informations regarding the number of images read by the data processing apparatus (section 0010-0014, abstract), monochromatic reading (section 0018), color reading (section 0-018), the number of sheets to be printed by said another data processing apparatus (section 0021), monochromatic printing and color printing

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(section 0018). A data processing apparatus comprising a processing portion for effecting a predetermined process with respect to another data processing apparatus (section 0010-1103); and an informing portion for informing said another data processing apparatus of the fact whether the data processing apparatus effect a charge process or not, in order to effect the charge process for the predetermined process (section 0014-0016).

Regarding claim 6:

Saito discloses a method for controlling a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus (section 0010-0013), comprising the steps of judging whether said another data processing apparatus effects a charge process or not; and effecting the charge process in accordance with the judgement (section 0014-0016).

Regarding claim 7:

Saito discloses a method for controlling a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus (section 0010-0013), comprising the step of informing said another data processing apparatus of the fact whether the data processing apparatus effects a charge process or not (section 0014-0016).

Regarding claims 2, 3, 4:

Saito also discloses:

A data processing apparatus wherein said judging unit effects the judgment on

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the basis of information received from said another data processing apparatus (section 0010-0013, fig. 1, unit 202, 203, 204, 205).

A data processing apparatus according wherein the predetermined process is a process for printing an image read by said another data processing apparatus in the data processing apparatus (abstract); and the charge process is based on at least one of information regarding the number of images read by said another data processing apparatus, monochromatic reading(section 0018), color reading (section 0018), the number of sheets to be printed by said another data processing apparatus, monochromatic printing and color printing (section 0018, 0020, fig. 1, unit 205,203).

A data processing apparatus wherein the predetermined process is a process for printing an image read by the data processing apparatus in said another data processing apparatus (section 0010-0012); and the charge process is based on at least one of information regarding the number of images read by the data processing apparatus (section 0013-0014), monochromatic reading (section 0018), color reading (section 0018), the number of sheets to be printed by said another data processing apparatus, monochromatic printing and color printing (section 0021, fig. 1, unit 205, 203).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 703-305-3309.

The examiner can normally be reached on M-F 9-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

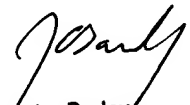
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TC2800 RightFAX Telephone Numbers : TC2800 Official Before-Final RightFAX - (703) 872-9318, TC2800 Official After-Final RightFAX - (703) 872-9319

TC2800 Customer Service RightFAX - (703) 872-9317

TL

May 14, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800